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BEFORE THE  
ILLINOIS COMMERCE COMMISSION

ROCK ISLAND CLEAN LINE, LLC ) DOCKET NO.  
 ) 10-0579  
Petition for Order granting a )  
Certificate of Public Convenience )  
and Necessity pursuant to Section )  
8-406(a) of the Public Utilities )  
Act as a transmission public )  
utility. )

Springfield, Illinois  
Wednesday, January 27, 2011

Met, pursuant to notice, at 2:00 p.m.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MR. OWEN E. MacBRIDE  
SCHIFF HARDIN, LLP  
233 South Wacker Drive, Suite 6600  
Chicago, Illinois 60606  
Ph. (312) 258-5680

(Appearing via teleconference on  
behalf of Petitioner)

SULLIVAN REPORTING COMPANY, by  
Carla J. Boehl, Reporter  
CSR #084-002710

1 APPEARANCES: (Continued)

2 MS. JANIS VON QUALEN  
Office of General Counsel  
3 527 East Capitol Avenue  
Springfield, Illinois 62701

5 (Appearing on behalf of Staff  
witnesses of the Illinois  
Commerce Commission)

MR. MATTHEW L. HARVEY  
7 Office of General Counsel  
160 North LaSalle Street, Suite C-800  
8 Chicago, Illinois 60601  
Ph. (312) 793-2877

10 (Appearing via teleconference on  
behalf of Staff witnesses of the  
Illinois Commerce Commission)

MR. EUGENE BERNSTEIN  
12 EXELON BUSINESS SERVICES  
10 South Dearborn Street, 49th Floor  
13 Chicago, Illinois 60603  
Ph. (312) 394-7162

15 (Appearing via teleconference on  
behalf of Commonwealth Edison  
Company)

1		<u>I N D E X</u>			
2					
3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	( None )				
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13		<u>EXHIBITS</u>			
14					
15				<u>MARKED</u>	<u>ADMITTED</u>
	( None )				
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1 Commonwealth Edison Company. Bernstein is  
2 B-E-R-N-S-T-E-I-N, and my appearance has previously  
3 been entered and my information has not changed.

4 JUDGE JONES: Thank you. Other appearances?

5 MS. VON QUALEN: Jan Von Qualen on behalf of  
6 the Staff witnesses of the Illinois Commerce  
7 Commission.

8 JUDGE JONES: Thank you. Are there any other  
9 appearances to be formally entered?

10 (No response.)

11 Let the record show there are not, at  
12 least at this time.

13 In order to provide a short  
14 opportunity regarding the agenda for today's status  
15 hearing and other matters, we hereby go off the  
16 record.

17 MR. MacBRIDE: Mr. Jones, before you go off the  
18 record, could I note that Kathy Patton, general  
19 counsel of Rock Island Clean Line, is also  
20 participating by telephone?

21 JUDGE JONES: Yes, you may and the record  
22 should so note. All right. That is noted by our

1 court reporter. It will appear in the transcript.

2 At this time we hereby go off the  
3 record.

4 (Whereupon there was then had an  
5 off-the-record discussion.)

6 JUDGE JONES: Back on the record. Let the  
7 record show there was an off-the-record discussion  
8 for the purposes indicated. I believe the parties  
9 will be either advancing or at least not objecting to  
10 some procedural developments that will result in a  
11 status hearing on June 23 at 2:00 p.m. at which  
12 participation by telephone will be permitted. Beyond  
13 that I am not sure what counsel for Rock Island Clean  
14 Line or others would want to put into the record at  
15 this status hearing in connection with that. So let  
16 me see.

17 Did either Staff or counsel for the  
18 parties have anything else you wanted to put into the  
19 record at this time other than the continuance to  
20 that date?

21 MR. MacBRIDE: Judge, this is Owen MacBride on  
22 behalf of Rock Island Clean Line. In light of the

1 discussion we have had with Staff, we are asking that  
2 at this time you not rule on Rock Island Clean Line's  
3 Motion to Set a Procedural Schedule and we are not  
4 requesting that any further procedural schedule be  
5 set at this time. We are requesting, as you have  
6 already indicated, simply that the matter be  
7 continued for a further status on June 23 with no  
8 further specific activities scheduled.

9                   We note that the Applicant would  
10 continue to be willing to respond to any data  
11 requests that the Staff would like to submit during  
12 the period up to the status hearing. But that  
13 certainly -- by saying that I am not either intending  
14 to state that any discovery schedule should be  
15 established nor that Staff would be in any way  
16 precluded from submitting discovery at a later date.

17           JUDGE JONES: Okay, thank you. Ms. Von Qualen?

18           MS. VON QUALEN: Yes. Similarly, Judge, as a  
19 consequence of discussions that Staff had with Clean  
20 Line, Staff is it at this time withdrawing its  
21 request for a ruling on the Motion to Dismiss that  
22 was filed earlier in this proceeding, and Staff also

1 would not ask that any further procedural or  
2 otherwise rulings be made until after our status  
3 hearing on June 23.

4 (Matt Harvey joins the  
5 teleconference.)

6 JUDGE JONES: Good afternoon. Did you want to  
7 enter your appearance?

8 MR. HARVEY: I believe Ms. Von Qualen may have  
9 already done that, but I am just listening in. And I  
10 apologize for my extreme tardiness. Another matter  
11 intruded.

12 JUDGE JONES: I don't know that your appearance  
13 was entered. Do you want to enter it at this time?

14 MR. HARVEY: I will do that for form sake, Your  
15 Honor. On behalf of the Staff, as distant second  
16 chair to the distinguished Ms. Von Qualen, Matthew L.  
17 Harvey, 160 North LaSalle Street, Suite C-800,  
18 Chicago, Illinois 60601, again appearing for the  
19 Staff.

20 JUDGE JONES: Thank you, Mr. Harvey.

21 Mr. Bernstein, did you have any  
22 objection to any of the procedural proposals that



1     have been advanced this afternoon?

2             MR. BERNSTEIN:   None, Your Honor.

3             JUDGE JONES:   There was some brief discussion  
4     off the record regarding the status of the Motion for  
5     a Protective Order.   I would note for the record  
6     that, while that motion remains pending, any  
7     documents that were already on file that were  
8     identified as confidential or confidential and  
9     proprietary will remain protected and treated as  
10    confidential and proprietary in the meantime.   That  
11    is, they will remain protected until there is  
12    actually a ruling on the Motion for Proprietary  
13    Treatment.

14            Was there anything else that should be  
15    reflected for the record with respect to the Motion  
16    for a Protective Order?

17            MR. MacBRIDE:   I don't believe so, Judge.

18            JUDGE JONES:   All right.   Thank you.   Is there  
19    anything else that should be noted for the record  
20    with respect to any of the other pending motions  
21    beyond what has already been explained?

22            MS. VON QUALEN:   Staff has nothing further.

1           MR. MacBRIDE:  Nothing on behalf of the  
2   Applicant, Judge.

3           JUDGE JONES:  So as indicated, at the  
4   conclusion of this status hearing the matter will be  
5   continued to one to be held on June 23 at 10:00  
6   a.m. -- I am sorry, June 23 at 2:00 p.m. with  
7   participation by telephone to be permitted.

8                       Before we actually conclude today is  
9   there anything else the parties wish to address for  
10  the record before we wrap it up?

11                               (No response.)

12                       All right.  Let the record show there  
13  is not.  Our thanks to Mr. MacBride for circulating  
14  the call-in number which was used today.  At this  
15  time then let the record show that today's status  
16  hearing is over.  In accordance with the above, this  
17  matter is hereby continued to a status hearing date  
18  of June 23, 2011, at the hour of 2:00 p.m.

19                               (Whereupon the hearing in this  
20                               matter was continued until June  
21                               23, 2011, at 2:00 p.m. in  
22                               Springfield, Illinois.)